



from GM Linden NJD 002186 690

13

November 25, 2014

Mr. Gary Greulich
New Jersey Department of Environmental Protection
Northern Regional Office
7 Ridgedale Avenue
Cedar Knolls, NJ 07927

RE: Remedial Action Progress Report No. 21 for the Industrial #1 Redevelopment Area
Portion of the Former General Motors (GM) Linden Assembly Plant, 1016 West Edgar
Road, Linden, Union County, New Jersey 07036; DUK059.701.0174.

Dear Mr. Greulich:

On May 28, 2009, the New Jersey Department of Environmental Protection (NJDEP) approved the New Jersey Remedial Action Workplan and RCRA Corrective Measures Proposal Addendum No. 2 (RAWP) for the Industrial #1 Redevelopment Area of the Former GM Linden Assembly Plant. The May 28, 2009 approval letter requested Remedial Action Progress Report for the Industrial #1 Redevelopment Area on/by November 30, 2009. Subsequent reports are submitted on a quarterly basis.

As discussed during extensive correspondence with NJDEP, the Industrial #1 Redevelopment Area was sold in late-2013 by Linden Development LLC to Duke Linden LLC (Duke Linden). Duke Realty Corporation is a primary member of both the former owner (Linden Development LLC) and new owner (Duke Linden) and will provide for consistent implementation of the previously-approved remedial strategy outlined in RAWP Addendum No. 2. The project team that has represented Linden Development LLC to date has changed during this period. The contact information for the personnel replacing Bill Dennis of Hull & Associates, Inc. (Hull) and Brian Strohl of Duke are:

- John Bumgarner – Duke Realty
4900 Seminary Road, Suite 900
Alexandria, VA 22311
(703) 578-7781
- Raymond Kennedy – Hull
6397 Emerald Parkway, Suite 200
Dublin, Ohio 43016
(614) 793-8777

These individuals along with established personnel will continue to implement the project on behalf of Duke Linden.

As part of the property transaction, NJDEP assigned the following updated identification numbers for the industrial portion of the Former GM Plant which includes the Industrial #1 Redevelopment Area:



- Program Interest Number: 621084
- Case Tracking Number: E20040531-Industrial

This letter constitutes Remedial Action Progress Report No. 21 for the Industrial #1 Redevelopment Area. Hull has prepared this report on behalf of Duke Linden to summarize remedial activities completed on the Site between September 1, 2014 and November 30, 2014.

Requirements, according to N.J.A.C. 7:26E-6.6, are shown below in ***bold italics***, with Hull/Duke Linden's update following. The report certification required by N.J.A.C. 7:26E-1.5 is included in Attachment A.

1. ***NJDEP requires a description of each planned remedial action***
 - i. ***scheduled to be initiated or completed within the reporting period***
 - ii. ***actually initiated or completed during the reporting period; and***
 - iii. ***scheduled but not initiated or not completed during the reporting period, including the reasons for the noncompliance with the approved schedule.***

Soil

As outlined in the approved RAWP, the remedial activities for soils on the Industrial #1 Redevelopment Area consist of the following:

- a. Establishing deed restrictions or environmental covenants to maintain commercial/industrial land use at the Site;
- b. Regrading the site to achieve the grade necessary to support the proposed redevelopment;
- c. Constructing building slabs, parking areas and roadways and placing one foot of clean soil over geotextile fabric in future greenspaces to preclude direct contact exposures to future receptor populations and/or provide cover to historical fill material; and
- d. Surveying to demonstrate that all areas are covered with engineering controls (e.g., building slabs, parking areas and roadways) or one foot of clean soil.

These remedial activities are directly related to construction activities associated with the future redevelopment at the Site which are dependent upon finalization of agreements with end users. Duke Linden has been working throughout the reporting period to establish agreements with end users to ultimately occupy various portions of the Site. Given that end user agreements have not been established, the construction activities described in the RAWP have only been implemented in targeted portions of the site.

During the current reporting period, Duke Linden continued Building 12 construction activities consistent with the approved Industrial #1 RAWP. The activities completed during the period include exterior paving activities, clean soil placement in greenspace areas and interior building finish work. These activities were recently completed.

Duke also initiated speculative construction of Building 13 to be located in the southernmost parking lot south of the main property across Pleasant Street. The anticipated schedule for

Building 13 was provided in Remedial Action Progress Report No. 20. Construction activities are being conducted consistent with the approved RAWP. Building 13 activities conducted during the reporting period include grading activities, installation of foundation components and initial installation of exterior wall panels and roof. Placement of cap materials is also being conducted. During the next reporting period, Duke anticipates completion of structural steel and wall panels, roof installation and building slab installation (contingent on the timing of relocating an overhead electric line) exterior paving activities and clean soil placement in greenspace areas.

Fill Material Import

As discussed in previous reports, Duke has imported structural fill material from off-site sources for use in redevelopment activities. Table 1 provides a summary of the materials imported to date for the Industrial #1 Redevelopment Area.

Groundwater

The RAWP for the Industrial #1 Redevelopment Area was limited to soils. Groundwater actions, if any, are related to resolution of the disputed groundwater issue between the Site and neighboring Merck Pharmaceutical facility. Based on the findings outlined in Duke Linden's latest disputed groundwater investigation report prepared by Hull (i.e., MW-97 Monitoring Well Cluster Installation and Supplemental Groundwater Sampling Report, July 2012), the groundwater impacts associated with the disputed groundwater area are associated with off-site sources. NJDEP issued a technical comment letter dated November 30, 2012 outlining the findings from the agency review of the July 2012 report. NJDEP's letter indicates that no sources have been identified on the Duke Linden property that created the groundwater contamination in the dispute. The NJDEP letter requests that Linden Development (now Duke Linden) perform an additional year of groundwater monitoring in the southern portion of the site. A work plan for the groundwater sampling was submitted in late-March 2013. NJDEP issued initial comments on the groundwater sampling work plan via email on September 26, 2013.

Linden Development / Duke Linden conducted a facility-wide groundwater sampling event in late-November and December 2013 in consultation with NJDEP. The wells included in the facility-wide event included those outlined in the March 2013 groundwater monitoring plan, as well as the additional wells requested by the NJDEP case team via email dated September 26, 2013.

NJDEP provided final approval of the groundwater monitoring plan on April 4, 2014. Linden Development / Duke Linden conducted additional facility-wide groundwater sampling events in late April/early May 2014 and late August/early September 2014. The fourth facility-wide event is scheduled for early December 2014. Results for groundwater sampling to date are being evaluated for submittal under separate cover.

Storm Sewer (AOI-18)

Remedial activities associated with AOI-18 are complete, as documented in Remedial Action Progress Report No. 1 (November 2009).

2. NJDEP requires discussion of problems and delays in the implementation of the RAWP, which should include proposals for corrections.

As discussed above, remedial activities are directly related to construction activities associated with the future redevelopment at the Site which are dependent upon establishment of agreements with end users. During the current reporting period Duke completed construction activities on Building 12 which are consistent with the approved Industrial #1 RAWP and continued construction activities on Building 13 in the extreme southern portion of the site in the former parking lots south of Pleasant Street.

Duke Linden is continuing to pursue agreements with end users for the remainder of the Industrial #1 Redevelopment Area. In the interim, conditions at the Site are stable given that GM's original cover types (asphalt, building pads, etc.) remain intact across a majority of the area. In portions of the site where Duke Linden is currently placing structural fill to support future building construction, site contractors are employing best management practices and are complying with applicable laws/regulations.

3. NJDEP requires proposals for a deviation from, or modification to, the approved RAWP.

No deviations from, or modifications to, the approved RAWP are planned or required at this time.

4. NJDEP requires submittal of a revised schedule pursuant to N.J.A.C. 7:26E-6.5, to reflect the changes as noted in 1 through 3 above.

As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and implementation of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports.

The construction schedule for Building 12 was provided in Remedial Action Progress Report No. 17. The schedule for Building 13 was provided in Remedial Action Progress Report No. 20.

5. NJDEP requires an updated status of all permit applications relative to the critical path schedule.

The permits required for initiation of the remedial activities are summarized below.

Permit/Approval Type	Status	Notes
Planning Board Approval	Approved 11/17/08	Site plan approved by City of Linden Planning Board
NPDES Permit (Storm Water)	Approved 9/16/09	NPDES Permit No. 0088323
Soil Conservation District	Approved 9/16/09	Approved by Somerset-Union Conservation District
Building Permit for Building 12	Approved 12/4/13; Updated 7/10/14	
Building Permit for Building 13	Approved 6/12/14	

6. NJDEP requires a listing of each remedial action to be performed during the next reporting period.

The primary construction activities related to Building 12 were completed during this reporting period.

During the next reporting period, primary construction activities related to Building 13 will be continued in the extreme southern portion of the site. Anticipated activities are listed on the schedule provided previously and are summarized as follows:

- Complete erection of precast wall panels
- Complete structural steel erection
- Complete roof installation
- Complete building slab installation
- Complete exterior paving
- Complete clean soil placement in greenspaces

7. NJDEP requires costs of each remedial action

- i. Annual summary of all remedial action costs incurred to date; and**
- ii. Revised cost estimate for remedial actions remaining to be performed.**

Costs incurred include approximately \$7,000 for AOI-18 storm sewer cleaning, approximately \$15,000 for UST closure activities and approximately \$370,000 for earthwork activities to date. The construction costs for earthworks, installation of paving and building slabs will be summarized in the next quarterly report and will be consistent with those presented in the RAWP.

The overall cost estimate for completing remedial activities remains consistent with that presented in the RAWP (i.e., approximately \$11,900,000 for earthwork and construction of engineering controls).

8. NJDEP requires a tabulation of sampling results (according to N.J.A.C. 7:26E-3.13(c)3) received during the reporting period and a summary of the data and any conclusions, presented in a format consistent with N.J.A.C. 7:26E-4.8.

Groundwater-related sampling results received during the reporting period will be provided under separate cover.

9. NJDEP requires a summary of active groundwater remedial actions

- i. groundwater elevation maps with groundwater flow shown immediately before and during active groundwater remediation;**
- ii. graphs depicting changes in concentrations over time for all impacted wells as well as all down-gradient wells;**
- iii. summary of volume of water treated since last reporting period and the total volume treated since active remedial action commenced; and**
- iv. Summary of groundwater contamination, indicating either that contamination remains above applicable standards (include a proposal**

detailing additional remedial actions) or that concentrations are below applicable standards.

The RAWP for the Industrial #1 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

10. NJDEP requires a summary of natural remediation groundwater remedial actions

- i. Summary table of the groundwater monitoring results collected; and***
- ii. Conclusions whether data indicate that natural remediation is no longer appropriate (must then also submit a revised RAWP)***

The RAWP for the Industrial #1 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

11. NJDEP requires a description of all wastes generated as a result of the remedial action

- i. Tabulation of waste characterization samples collected, including the physical state of the material, volume, number of samples, analyses performed and results;***
- ii. Listing of types and quantities of waste generated by the remedial action during the reporting period as well as to date;***
- iii. Name of the disposal facility used;***
- iv. Transporters' dates of disposal; and***
- v. Manifest numbers of each waste shipment.***

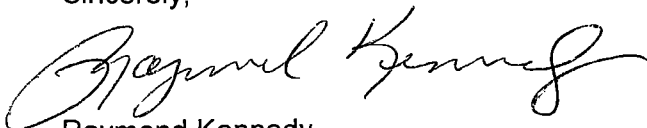
No wastes were generated during the current reporting period.

12. NJDEP requires that any additional support documentation that is available also be provided (photos, etc.).

No additional support documentation is available.

The next scheduled remedial action progress report will include remedial actions completed between December 1, 2014 and February 28, 2014. Please feel free to contact Ray Kennedy at (614) 793--8777 with any questions regarding the update provided herein.

Sincerely,



Raymond Kennedy
Senior Project Manager

Attachments

ct: John Bumgarner – Duke Linden, LLC
Clifford Ng – U.S. EPA Region 2
Joseph M. Sorge – J.M. Sorge, Inc.

TABLE

**LINDEN DEVELOPMENT LLC SITE (FORMER GM LINDEN ASSEMBLY PLANT)
1016 WEST EDGAR ROAD, LINDEN, NJ
QUARTERLY REPORT NO. 21 - INDUSTRIAL NO. 1 REDEVELOPMENT AREA**

**TABLE 1
SUMMARY OF FILL MATERIALS IMPORTED AS OF NOVEMBER 24, 2014**

Import Date	Source	Supplier	Quantity ¹	Material Type	Anticipated Site Use
Soils and Crushed Concrete - Imported Prior to Current Reporting Period ²					
Pre-February 2010	City of Rahway, NJ - Former firing range soil stockpile	City of Rahway, NJ	800 cy	Soils	Structural fill to be covered by engineering controls
Pre-February 2010	City of Linden, NJ - 2300 S. Wood Street - soil stockpile from City's Parks Dept.	City of Linden, NJ	2,865 cy	Soils	Structural fill to be covered by engineering controls
April / May 2010	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	2,973 cy	Soils	Structural fill to be covered by engineering controls
April / May 2010	Newark Public Schools Stadium - excess soils from construction project	AWT Environmental Services, Inc.	3,397 cy	Soils	Structural fill to be covered by engineering controls
May 2010	Newark Brick Tower - Residential Tower Demolition - processed backfill material	DEMREX and Altchem Environmental	15,680 cy	Soils/Crushed Concrete	Structural fill to be covered by engineering controls
June 2010	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	1,178 cy	Soils	Structural fill to be covered by engineering controls
June 2010	City of Linden, NJ - Library Site - excess soils from construction project	City of Linden, NJ	2,300 cy	Soils	Structural fill to be covered by engineering controls
July 2010	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	1,516 cy	Soils	Structural fill to be covered by engineering controls
8/24/10	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	658 cy	Soils	Structural fill to be covered by engineering controls
9/23/10	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	567 cy	Soils	Structural fill to be covered by engineering controls
9/27/2010	Weldon Materials - crushed stone (virgin source)	Weldon Materials	142 cy	Crushed Stone	Unrestricted (Virgin Source Material)
9/29/2010	Weldon Materials - crushed stone (virgin source)	Weldon Materials	55 cy	Crushed Stone	Unrestricted (Virgin Source Material)
10/5/10	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	699 cy	Soils	Structural fill to be covered by engineering controls
10/19/10	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	655 cy	Soils	Structural fill to be covered by engineering controls
12/15/10	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	328 cy	Soils	Structural fill to be covered by engineering controls
12/16/10	New 121st. Police Precinct -970 Sanders Street, Staten Island, NY - excess soils from construction project	Pure Earth, Inc.	165 cy	Soils	Structural fill to be covered by engineering controls
Dec 2011 through 2/16/12	MTA/LIRR East Side Access Project - native sand and gravel from installation of new railroad tunnels	Impact Environmental	12,710 cy	Soils	Unrestricted (Virgin Source Material)
2/7/12 and 2/8/12	City of Linden, NJ - 2300 S. Wood Street - soil stockpile from City's Parks Dept.	City of Linden, NJ	681 cy	Soils	Structural fill to be covered by engineering controls

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1016 WEST EDGAR ROAD, LINDEN, NJ
QUARTERLY REPORT NO. 21 - INDUSTRIAL NO. 1 REDEVELOPMENT AREA**

**TABLE 1
SUMMARY OF FILL MATERIALS IMPORTED AS OF NOVEMBER 24, 2014**

Import Date	Source	Supplier	Quantity ¹	Material Type	Anticipated Site Use
2/17/12 through 5/15/12	MTA/LIRR East Side Access Project - native sand and gravel from installation of new railroad tunnels	Impact Environmental	15,019 cy	Soils	Unrestricted (Virgin Source Material)
2/17/12 through 5/15/12	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	18,877 cy	Soils	Structural fill to be covered by engineering controls
5/16/12 through 8/17/12	400 Park Avenue South New York, NY	Impact Environmental	387 cy ³	Soils	Unrestricted (Virgin Source Material)
5/16/12 through 8/17/12	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	63,449 cy	Soils	Structural fill to be covered by engineering controls
5/16/12 through 8/17/12	MTA/LIRR East Side Access Project - native sand and gravel from installation of new railroad tunnels	Impact Environmental	12,765 cy	Soils	Unrestricted (Virgin Source Material)
8/18/12 through 11/21/12	400 Park Avenue South New York, NY	Impact Environmental	4,582 cy ⁴	Soils	Unrestricted (Virgin Source Material)
8/18/12 through 11/21/12	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	8,913 cy	Soils	Structural fill to be covered by engineering controls
11/22/12 through 2/15/13	400 Park Avenue South New York, NY	Impact Environmental	525 cy ⁵	Soils	Unrestricted (Virgin Source Material)
11/22/12 through 2/15/13	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	1,269 cy	Soils	Structural fill to be covered by engineering controls
2/16/13 through 5/14/13	South Waterfront - 3rd Street and Frank Sinatra Dr., Hoboken, NJ - excess soils from construction project.	Impact Environmental	1,291 cy ⁶	Soils	Structural fill to be covered by engineering controls
2/16/13 through 5/14/13	Prudential Towers - 74 to 84 Halsey Street, Newark, NJ - excess soils from construction project.	Impact Environmental	3,000 cy	Soils	Structural fill to be covered by engineering controls
2/16/13 through 5/14/13	Prudential Towers - 74 to 84 Halsey Street, Newark, NJ - excess soils from construction project.	Impact Environmental	2,500 cy	Soils	Structural fill to be covered by engineering controls
5/15/13 through 8/23/13	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	1,627 cy	Soils	Structural fill to be covered by engineering controls
5/15/13 through 8/23/13	Jersey City Municipal Center, Jersey City, NJ - excess soils from construction project	Impact Environmental	5,341 cy ⁷	Soils	Structural fill to be covered by engineering controls.
8/24/13 through 11/22/13	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	15,885 cy	Soils	Structural fill to be covered by engineering controls
8/24/13 through 2/28/14	Jersey City Municipal Center, Jersey City, NJ - excess soils from construction project	Impact Environmental	1,849 cy	Soils	Structural fill to be covered by engineering controls.

LINDEN DEVELOPMENT LLC SITE (FORMER GM LINDEN ASSEMBLY PLANT)
1016 WEST EDGAR ROAD, LINDEN, NJ
QUARTERLY REPORT NO. 21 - INDUSTRIAL NO. 1 REDEVELOPMENT AREA

TABLE 1
SUMMARY OF FILL MATERIALS IMPORTED AS OF NOVEMBER 24, 2014

Import Date	Source	Supplier	Quantity ¹ .	Material Type	Anticipated Site Use
		Subtotal:	204,647 cy		
Soils and Crushed Concrete - Imported During Current Reporting Period					
9/1/14 through 10/21/14	Impact Recovery and Reuse center (NJDEP Class B Recycling Facility)	Impact Environmental	860 cy	Soils	Structural fill to be covered by engineering controls.
9/1/14 through 10/21/14	Bound Brook Quarry -crushed stone (virgin source), 810 Thompson Ave, Bound Brook, NJ 08805	Stavola Construction	800 cy	Crushed Stone	Unrestricted (Virgin Source Material) - 960 tons
9/1/14 through 10/21/14	Topsoil facility - 20-05 Saddle River Road, Fair Lawn, NJ 07410	DTS Services LLC	480 cy	Soils	Clean Cap material - topsoil
		Subtotal:	2,140 cy		
	Total for Soils and Crushed Concrete Imported to Date:		206,787 cy		
Asphalt Millings - Imported Prior to Current Reporting Period					
Pre-February 2010	City of Linden, NJ - Residential Streets - asphalt millings	City of Linden, NJ	1,434 cy	Asphalt Millings	Subgrade material for future paved areas
		Subtotal:	1,434 cy		
Asphalt Millings - Imported During Current Reporting Period					
NA	None during current reporting period	NA	0 cy		
		Subtotal:	0 cy		
	Total for Asphalt Millings Imported to Date:		1,434 cy		

Notes:

- Quantity estimated based on import weight tickets and a conversion factor of 1.5 tons per cubic yard.
- Materials imported prior to 2011 were stockpiled in the Industrial #1 Redevelopment Area, but the final disposition at the overall site was not yet determined. As such, the pre-2011 materials are included in the volume totals for both the Retail Redevelopment Area and Industrial #1 Redevelopment Area. Starting in 2011, imported materials were placed directly within the specific redevelopment area where the material will ultimately be used.
- The imported material from this source totaled 773 cy and was stockpiled between the Industrial #1 and Retail Redevelopment Areas. The volume shown is 50% of the total volume imported (the other 50% was allocated to the Retail Redevelopment Area).
- The imported material from this source totaled 9,164 cy and was stockpiled between the Industrial #1 and Retail Redevelopment Areas. The volume shown is 50% of the total volume imported (the other 50% was allocated to the Retail Redevelopment Area).
- The imported material from this source totaled 2,713 cy and was stockpiled between the Industrial #1 and Retail Redevelopment Areas. The volume shown is the estimated portion stockpiled in Industrial #1. The balance (estimated 2,188 cy) was stockpiled in the Retail Redevelopment Area.
- The imported material from this source totaled 2,583 cy and was stockpiled between the Industrial #1 and Retail Redevelopment Areas. The volume shown is the estimated portion stockpiled in Industrial #1. The balance (estimated 1,291 cy) was stockpiled in the Retail Redevelopment Area.
- The imported material from this source totaled 13,352 cy and was stockpiled between the Industrial #1 and Retail Redevelopment Areas. The volume shown is the estimated portion stockpiled in Industrial #1. The balance (estimated 8,011 cy) was stockpiled in the Retail Redevelopment Area.

ATTACHMENT A
Report Certification

Certification


**Duke Linden, LLC
ISRA Case Number E20040531-Industrial**

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

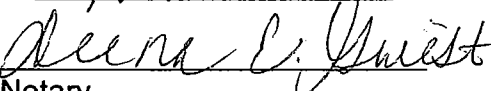
Date: 11/26/2014

Duke Linden, LLC

By:


William J. DeBoer, Executive V.P.

Sworn to and subscribed to before
me on this 26th day
of November, 2014


Notary



Deena E. Griest
Notary Public-State of Ohio
My Commission Expires
May 29, 2017